

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 18229PC Re	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/EP2004/008264	International filing date (day/month/year) 23.07.2004	Priority date (day/month/year) 26.07.2003
International Patent Classification (IPC) or national classification and IPC B29C45/76		
Applicant HEHL, Karl		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 8 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/008264

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 4-10 _____ as originally filed/furnished
- pages* 1, 3 _____ received by this Authority on 24.02.2005 with letter of 23.02.2005
- pages* 2 _____ received by this Authority on 01.06.2005 with letter of 30.05.2005
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-25 _____ received by this Authority on 01.06.2005 with letter of 30.05.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/6-6/6 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/008264

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-25	YES
	Claims		NO
Inventive step (IS)	Claims	1-25	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-25	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following document:

D1: DE 102 46 925 A (ENGEL MASCHB GES M B H) 30 April 2003 (2003-04-30).

1.1 Document D1, which is considered the closest prior art, discloses (see figure 2) a method for the interactive control of a plastic injection moulding machine, from which the subject matter of method claim 1 differs in that a navigation surface which comprises at least three lines or at least three columns of actuation or input fields, and which is hierarchical from line to line or column to column, is represented on the surface in the form of a plurality of navigation levels assigned to each other.

1.2 The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

1.3 The problem to be solved by the present invention is therefore understood to be that of improving the method for the interactive control of an

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/008264

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

injection moulding machine in such a way that it is made easier to design a process (page 2, paragraph 4, of the description).

- 1.4 The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)), for the following reasons:

Document D1 provides a further navigation level and a flow chart on the screen surface, but not in the area of a fixed navigation surface.

The available prior art offers nothing to suggest to a person skilled in the art to develop the navigation surface known from document D1 using the characterizing features of claim 1, since none of the searched documents discloses a navigation surface which comprises at least three lines or at least three columns of actuation or input fields, is hierarchical from line to line or column to column, and represented on the surface in the form of a plurality of navigation levels assigned to each other.

- 1.5 Claims 2 to 14 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.

- 1.6 The independent device claim 15 is directed to a device for the interactive control of a plastics injection moulding machine, and its characterizing

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/008264

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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features correspond to the features discussed in paragraphs 1.1 to 1.4. Consequently, the independent device claim 15 also meets the PCT requirements for novelty and inventive step.

1.7 Claims 16 to 24 are dependent on claim 15 and therefore likewise meet the PCT requirements for novelty and inventive step.

1.8 The independent device claim 25 is directed to a data carrier having a program for carrying out the method according to one of claims 1 to 14. Consequently, the independent device claim 25 likewise meets the PCT requirements for novelty and inventive step.